

*REMARKS/ARGUMENTS*

In response to the Office Action mailed February 28, 2008, Applicant amends his application and requests continued examination. In this Amendment claims 1-5, 7, and 13-18 are cancelled, leaving claims 6 and 8-12 pending.

Claim 6 is the sole pending independent claim. With respect to the previously examined form of that claim, the amended claim 6 is substantially more descriptive of the claimed gaming machine. It is now apparent that the front side of the cabinet of the gaming machine has upper and lower parts that are separated by a projection that protrudes outwardly from both of those upper and lower parts of the front side of the cabinet. Embodiments within the scope of that description are illustrated in Figure 1, particularly taken in conjunction with Figure 3, and Figure 8 of the patent application.

Amended claim 6 makes clear that the opening, through which the plurality of counter displays is visible, is disposed below the projection. This arrangement is illustrated in the described embodiments with respect to opening 800 illustrated in Figures 1 and 8. That location of the opening makes observing of the counter displays, and the counts that appear on the counter displays, difficult for a game player playing a game on the game machine to observe. This difficulty was formerly described in claim 7 and is now described in amended claim 6.

Other clarifying amendments are made in claim 6 in conjunction with the changes just described. Similarly, claim 9 is amended to make clear that the rear lid and the sponge-like resilient pad are different elements that, together, apply pressure to the counter displays and urge those counter displays toward the transparent plate that covers the opening as in the illustrated embodiments. The sponge-like resilient pad 808 is depicted in the embodiments in Figures 2 and 7 of the patent application and described, among other places, at page 11 of the patent application.

All examined claims were rejected in the Office Action mailed February 28, 2008 as unpatentable over Takemoto et al. (U.S. Patent 5,941,774, hereinafter

Takemoto) in view of Miyajima (U.S. Patent 5,455,743). This rejection is respectfully traversed, both as to the claims formerly pending and the claims pending upon the entry of the foregoing amendment.

Claim 6 presented here is a clarified form of the previously examined claim 6. The formerly examined claim 6, as well as the amended claim 6, includes features not described in either Takemoto or Miyajima and not addressed in any of the Office Actions issued so far in the prosecution of this patent application. For example, neither cited publication describes a gaming machine having a projection separating upper and lower parts of the front side of the cabinet of the gaming machine, and projecting outwardly from the front side of the gaming machine at both of the upper and lower parts.

Miyajima concerns construction of television sets and the provision of mechanically actuable buttons that, in turn, actuate switches mounted on a remote circuit board. No description or figure within Miyajima describes a cabinet arrangement that could be considered to have a projection at a front side that projects from the front side of the cabinet and that is between upper and lower parts of the front side, as in the claimed invention. Moreover, even if some contorted interpretation of Miyajima were applied, it is apparent that there is no projection from the television receiver, as vaguely depicted by Miyajima, that includes a control panel oblique to the front side of the television cabinet and that includes operating buttons for the television. See claim 8. Further, Miyajima has no structure that could be reasonably compared to claim 12. In the structure of claim 12, the projection protrudes outwardly from a control panel that is oblique to the front side of the cabinet and includes a plurality of operating buttons for operating the gaming machine.

With respect to Takemoto, the principal reference, Applicant has always conceded that Takemoto, with respect to its Figure 1 only, describes, in the vaguest terms, the exterior appearance of a gaming machine. There are, to be sure, upper and lower parts of the front side of that gaming machine illustrated in Figure 1 of Takemoto, but there is no projection separating the upper and lower parts. In fact, the

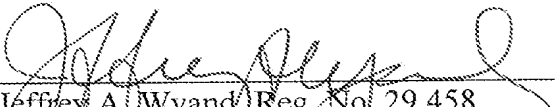
upper part is recessed and includes a peripheral frame of unnumbered oblique surfaces. The only projecting element at the front side of the Takemoto gaming machine is the switch lever 108. No display of any kind, like the opening, transparent plate, and counter displays of claim 6, is present on the front side of the Takemoto gaming machine, below the projecting switch 108.

Because of the enumerated differences between the invention claimed and Takemoto and Miyajima, even considered in combination, those two patents cannot establish *prima facie* obviousness as to any pending claim.

In the rejection, it was apparently implicitly asserted that many plastic parts within Miyajima function as some kind of resilient elements that might have been compared to the resilient absorber of formerly pending claims. Accepting that interpretation of Miyajima, it is apparent that neither Takemoto nor Miyajima describes any structure that includes a sponge-like resilient pad as described in amended claim 9. Therefore, the rationale of the former rejection as to this claim element, based on Miyajima, is no longer applicable.

Reconsideration and allowance of all claims now pending, claims 6 and 8-12, are respectfully requested.

Respectfully submitted,

  
Jeffrey A. Wyand, Reg. No. 29,458  
LEYDIG, VOIT & MAYER  
700 Thirteenth Street, N.W., Suite 300  
Washington, DC 20005-3960  
(202) 737-6770 (telephone)  
(202) 737-6776 (facsimile)

Date: May 23, 2008  
JAW:ves